

## OPINION 1099

CONSERVATION OF *DROSOPHILA MERCATORUM*  
PATTERSON & WHEELER, 1942 (INSECTA, DIPTERA)

RULING.- (1) Under the plenary powers, the specific name *carinata* Grimshaw, 1901, as published in the binomen *Drosophila carinata*, is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy.

(2) The specific name *mercatorum* Patterson & Wheeler, 1942, as published in the binomen *Drosophila mercatorum*, is hereby placed on the Official List of Specific Names in Zoology with the Name Number 2625.

(3) The specific name *carinata* Grimshaw, 1901, as published in the binomen *Drosophila carinata*, and as suppressed under the plenary powers in (1) above, is hereby placed on the Official Index of Rejected and Invalid Specific Names in Zoology with the Name Number 1023.

## HISTORY OF THE CASE Z.N.(S.) 2035

An application for the conservation of *Drosophila mercatorum* Patterson & Wheeler, 1942 by the suppression of *D. carinata* Grimshaw, 1901, was first received from Professor Hampton L. Carson (*University of Hawaii*) on behalf of himself and four other authors, on 1 March 1973. It was sent to the printer on 2 April 1973 and published on 10 October 1973 in *Bull. zool. Nom.* vol. 30: 112-117. Public notice of the possible use of the plenary powers in the case was given in the same part of the *Bulletin* as well as to the serials specified in the Constitution and to nine entomological serials. On 22 July 1974 a letter was received from Professor Carson in which he asked that the Commission be informed that he had examined the holotype of *Drosophila carinata* Grimshaw, 1901, in the British Museum (Natural History) and had found it in very poor condition. The head, the left foreleg and the tarsus of the right middle leg were all missing. The examination had been made in the presence of Mr B.H. Cogan. No other comment was received.

## DECISION OF THE COMMISSION

On 23 February 1977 the members of the Commission were invited to vote under the Three-Month Rule on Voting Paper

(1977)8 for or against the proposals set out in *Bull. zool. Nom.* vol. 30: 115. At the close of the voting period on 23 May 1977 the state of the voting was as follows:

Affirmative Votes - twenty-two (22) received in the following order: Melville, Lemche, Holthuis, Eisenmann, Vokes, Alvarado, Tortonese, Rohdendorf, Mroczkowski, Willink, Heppell, Sabrosky, Bayer, Kraus, Brinck, Binder, Corliss, Starobogatov, Ride, Dupuis, Habe, Cogger

Negative Vote - one (1): Nye.

A late affirmative vote was received from Dr Welch. No voting paper was returned by M. Bernardi.

The following comments were sent in by members of the Commission with their voting papers:

*Eisenmann:* This is a case of a long-forgotten *nomen dubium* which, if not suppressed, would cause confusion in a group of animals which, while difficult to identify, are important for biological studies, of great current interest.

*Dupuis:* Je vote pour la suppression de *carinata* et l'inscription officielle de *mercatorum*, car la nomenclature ne doit pas entraver le progrès biologique. Je remarque cependant que cette opération équivaut à supprimer une espèce dont l'holotype femelle existe (mais n'est pas déterminable) au profit d'une espèce dont la femelle 'can ordinarily be determined by the characteristics of her sons'. Quel holotype citera notre Opinion pour *mercatorum*? Ce cas intéressant montre qu'il faudra, un jour ou l'autre, reconnaître des formes de typification autres que l'holotype.

*Nye:* I am in favour of conserving *mercatorum* as a valid name by granting it nomenclatural precedence over *carinata* if both are treated as belonging to the same biological taxon. I am unwilling to vote for the suppression of a senior subjective synonym and so endorse taxonomic judgment when the same result could be achieved by a strictly nomenclatural method.

## ORIGINAL REFERENCES

The following are the original references for the names placed on an Official List and an Official Index by the ruling given in the present Opinion:

*carinata*, *Drosophila*, Grimshaw, 1901, *Fauna Hawaiiensis*, vol. 3 (1): 55-57, 71-72

*mercatorum*, *Drosophila*, Patterson & Wheeler, 1942, *Univ. Texas Publ. No. 4213*: 93-94.

## CERTIFICATE

I certify that the votes cast on voting paper (77)8 were cast as set out above, that the proposal contained in that voting paper has been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission on Zoological Nomenclature, is truly recorded in the present Opinion No. 1099.

R.V. MELVILLE

*Secretary*

*International Commission on Zoological Nomenclature*

*London*

*1 August 1977*